

**JAMES HAWKINS APLC**

James R. Hawkins (SBN 192925)  
James@jameshawkinsaplc.com  
Christina M. Lucio (SBN 253677)  
Christina@jameshawkinsaplc.com  
Mitchell J. Murray (SBN 285691)  
mitchell@jameshawkinsaplc.com  
9880 Research Drive, Suite 200  
Irvine, California 92618  
Telephone: (949) 387-7200  
Facsimile: (949) 387-6676

Attorneys for Plaintiff JOE VIGIL,  
on behalf of himself and all others similarly situated

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JOE VIGIL, individually and on behalf  
of all others similarly situated,

Plaintiff,

vs.

HYATT CORPORATION, a Delaware  
corporation, GRAND HYATT S.F.,  
LLC, a Delaware limited liability  
company, doing business as GRAND  
HYATT SAN FRANCISCO, and  
DOES 1-50, inclusive,

Defendants.

Case No. 4:22-cv-00693-HSG  
Judge: Haywood S. Gilliam, Jr.

**PLAINTIFF JOE VIGIL'S  
NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS  
SETTLEMENT, CONDITIONAL  
CERTIFICATION OF  
SETTLEMENT CLASS, AND  
APPROVAL OF PROPOSED  
NOTICE OF CLASS ACTION  
SETTLEMENT**

Date: August 24, 2023  
Time: 2:00 p.m.  
Courtroom 2

Action Filed: November 2, 2021

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on August 24, 2023, at 2:00 p.m., or as soon thereafter as the matter may be heard, before the Honorable Haywood S. Gilliam, Jr., in Courtroom 2, 4<sup>th</sup> Floor, of the United States District Court, Northern District of California, at the Ronald V. Dellums Federal Building & United States Courthouse, located at 1301 Clay Street, Oakland, California 94612, Plaintiff Joe Vigil (“Plaintiff”) will seek an Order:

- (1) Granting leave for the filing of the Second Amended Complaint;
- (2) Preliminarily approving the Joint Stipulation of Class Action and PAGA Settlement and Release (“Agreement” or “Settlement Agreement”) in this matter;
- (3) Conditionally certifying the following Class for settlement purposes only: “all current and former non-exempt, hourly employees working for Defendants at the Grand Hyatt San Francisco hotel at any time between November 2, 2017 to March 9, 2023” (the “Class”);
- (4) Appointing Plaintiff Joe Vigil as Class Representative;
- (5) Appointing James R. Hawkins and Christina M. Lucio of James Hawkins APLC as Class Counsel;
- (6) Preliminarily approving the total Gross Settlement Amount in the amount of Seven Hundred Twenty-five Thousand Dollars (\$725,000);
- (7) Finding on a preliminary basis that the Agreement appears to be within the range of reasonableness of a settlement, including the amount of the PAGA penalties, Class Representative Service Award, Class Counsel fees and costs, Settlement Administration Costs, and the allocation of payments to Class Members, that could ultimately be given final approval by this Court;
- (8) Approving the Notice of Class Action Settlement to be sent to Class Members and directing Notice to be sent out as set forth in the

Settlement Agreement;

(9) Appointing Phoenix Class Action Administrators as the Settlement Administrator; and

(10) Setting the matter for a Final Fairness and Final Approval hearing.

This Motion is made pursuant to Federal Rule of Civil Procedure, Rule 23(a), (b)(3), and (e), which provides for court approval of the settlement of a purported class action and allows the Court to preliminarily certify a class for settlement purposes.

The basis for this Motion, filed without any opposition from Defendants Hyatt Corporation and Grand Hyatt S.F., LLC (“Hyatt” or “Defendants”), is that the proposed settlement is fair, adequate, and reasonable and the procedures proposed by the Parties are adequate to ensure the opportunity of class members to participate in, opt-out of, or object to the settlement.

This Motion will be based on the attached Memorandum of Points and Authorities, the Settlement Agreement and the proposed Notice of Class Action Settlement, and the supporting Declarations of James R. Hawkins, Christina M. Lucio, and Plaintiff Joe Vigil, and upon the oral arguments of counsel (should there be any) and on the complete records and file herein.

DATED: May 19, 2023

JAMES HAWKINS APLC

By: /s/ Christina M. Lucio

James R. Hawkins

Christina M. Lucio

Mitchell J. Murray

*Attorneys for Plaintiff, on behalf of himself  
and all others similarly situated*

CERTIFICATE OF SERVICE

I hereby certify that on May 19, 2023 I electronically filed the foregoing with the Clerk of the Court for the U.S. District Court, for the Northern District of California using the CM/ECF system. All participants are registered CM/ECF users, and will be served by the CM/ECF system.

Dated: May 19, 2023

/s/ Christina M. Lucio  
Christina M. Lucio